

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

§

Plaintiff,

§

v.

CASE NO. 7:20-CV-177

7.646 ACRES OF LAND, MORE OR LESS,
SITUATE IN STARR COUNTY,
STATE OF TEXAS; AND STEVEN J.
KOBERNAT, *et al.*,

§

Defendants.

§

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1338.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule "B."

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules "C" and "D."

6. The interest being acquired in the property described in Schedules "C" and "D" is set forth in Schedule "E."

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule "F."

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule "G."

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule "E" of the property described in Schedules "C" and "D" be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Roland D. Ramos*
ROLAND D. RAMOS
Assistant United States Attorney
Southern District of Texas No. 3458120
Texas Bar No. 24096362
1701 W. Bus. Highway 83, Suite 600
McAllen, TX 78501
Telephone: (956) 618-8010
Facsimile: (956) 618-8016
E-mail: Roland.Ramos@usdoj.gov

SCHEDULE A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Starr County, Texas

Tract: RGV-RGC-9046

Owner: Steven J. Kobernat *et al.*

Acres: 7.646

Being a 7.646 acre tract (333,070 sq ft) parcel of land, more or less, being out of a calculated 1634.800 acres, in Starr County, Texas conveyed to Kobernat Steven Joseph ET AL, Volume 1369, Page 214. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker SR-05-2019, having the following NAD83 (2011) Grid Coordinates N=16621139.93, E=957740.48; Thence N 63°22'26" W a distance of 12439.67 feet to a found Wildlife Monument on the East line of the Kobernat Steven Joseph ET AL, Volume 1369, Page 214 and the Northwest corner of the United States of America Fish and Wildlife tract, Volume 610, Page 270, for the **Point of Commencement**, having the following coordinates: N=16626714.96, E=946620.02.

Thence: S 26°09'58" W departing said property line, crossing the center of an existing 22 foot wide dirt road at 5369 feet, a distance of 5464.67 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9043-3=9046-1 on the West line of the Kobernat Steven Joseph ET AL, Volume 1369, Page 214 and on the East line of the A-3 Properties, LTD tract, Volume 1176, Page 619, for the **Point of Beginning**, having the following coordinates: N=16621810.31, E=944210.24, said point being on the Northern boundary of the parcel herein described;

Thence: S 82°04'07" E departing said property line, along said Northern boundary, crossing the center of an existing 22 foot wide gravel road at 30 feet, a distance of 396.45 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9046-1A for a Point on Line;

Thence: S 82°04'07" E along said Northern boundary, a distance of 396.45 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9046-1B for a Point on Line;

Thence: S 82°04'07" E along said Northern boundary, a distance of 396.45 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9046-1C for a Point on Line;

SCHEDULE C (continued)

LEGAL DESCRIPTION

Starr County, Texas

Thence: S 82°04'07" E along said Northern boundary, crossing the center of an existing 15 foot wide dirt road at 368 feet, to a barbed wire fence, a distance of 396.45 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9025-1-4=9046-2 for angle, said point being on the East line of the Kobernat Steven Joseph ET AL, Volume 1369, Page 214 and on the West line of the United States of America Fish and Wildlife Tract 541, Volume 610, Page 270;

Thence: S 09°18'06" W along said property line, along said barbed wire fence, departing said Northern boundary, a distance of 210.06 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9025-1-3=9046-3 for angle, said point being on the Southern boundary of the parcel herein described;

Thence: N 82°04'07" W departing said property line, departing said barbed wire fence, along said Southern boundary, crossing an existing 15 foot wide dirt road at 28 feet, a distance of 396.57 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9046-3A for a Point on Line;

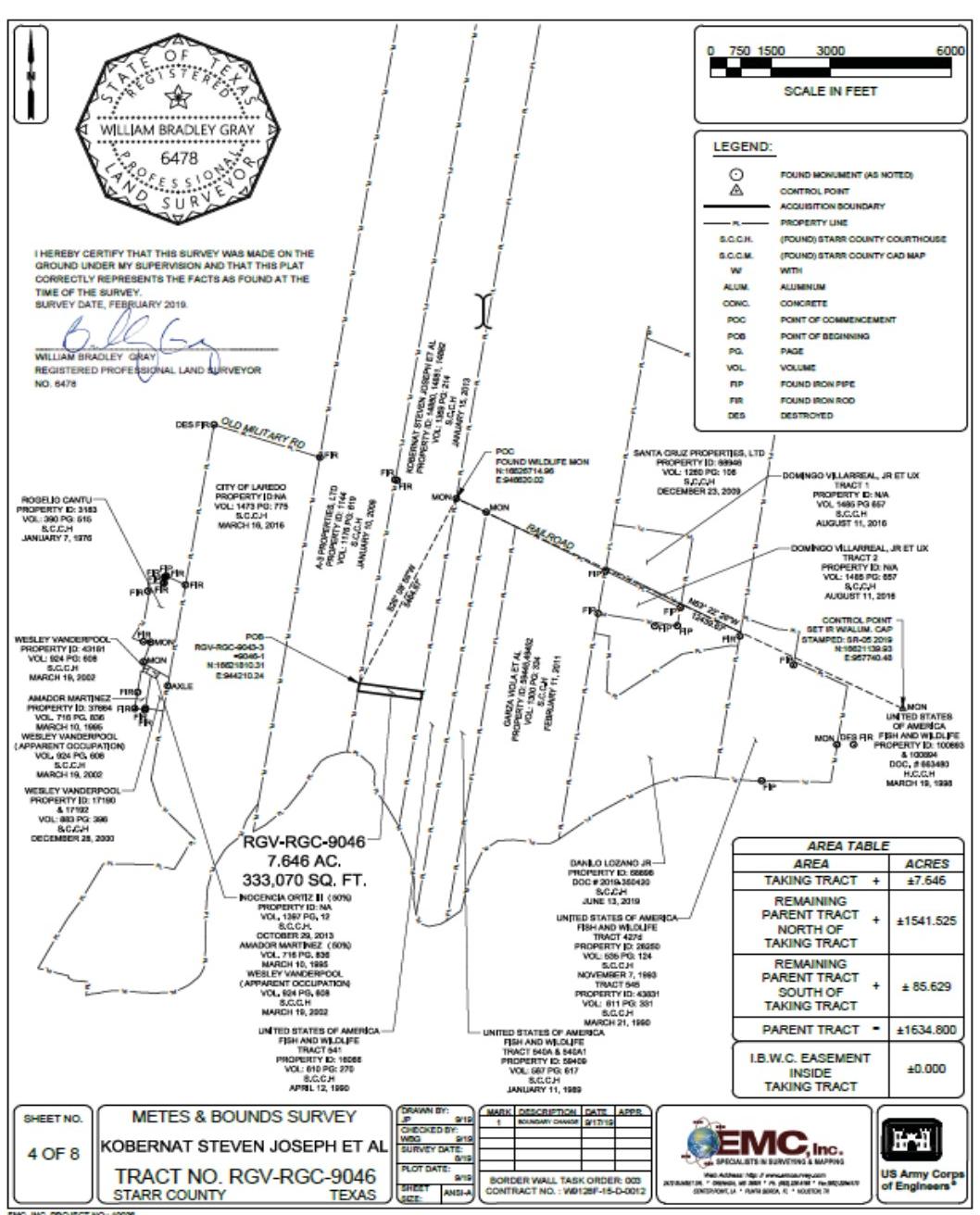
Thence: N 82°04'07" W along said Southern boundary, a distance of 396.57 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9046-3B for a Point on Line;

Thence: N 82°04'07" W along said Southern boundary, a distance of 396.57 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9046-3C for a Point on Line;

Thence: N 82°04'07" W along said Southern boundary, crossing an existing 22 foot wide dirt road at 365 feet, a distance of 396.57 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-9043-4=9046-4 for angle, said point being on the West line of the Kobernat Steven Joseph ET AL, Volume 1369, Page 214 and on the East line of the A-3 Properties, LTD tract, Volume 1176, Page 619;

Thence: N 09°25'53" E along said property line, departing said Southern boundary, crossing the center of an existing 15 foot wide dirt road at 50 feet, a distance of 210.07 feet returning to the **Place of Beginning**.

SCHEDULE D

SCHEDULE D**MAP or PLAT****LAND TO BE CONDEMNED**

Tract: RGV-RGC-9046

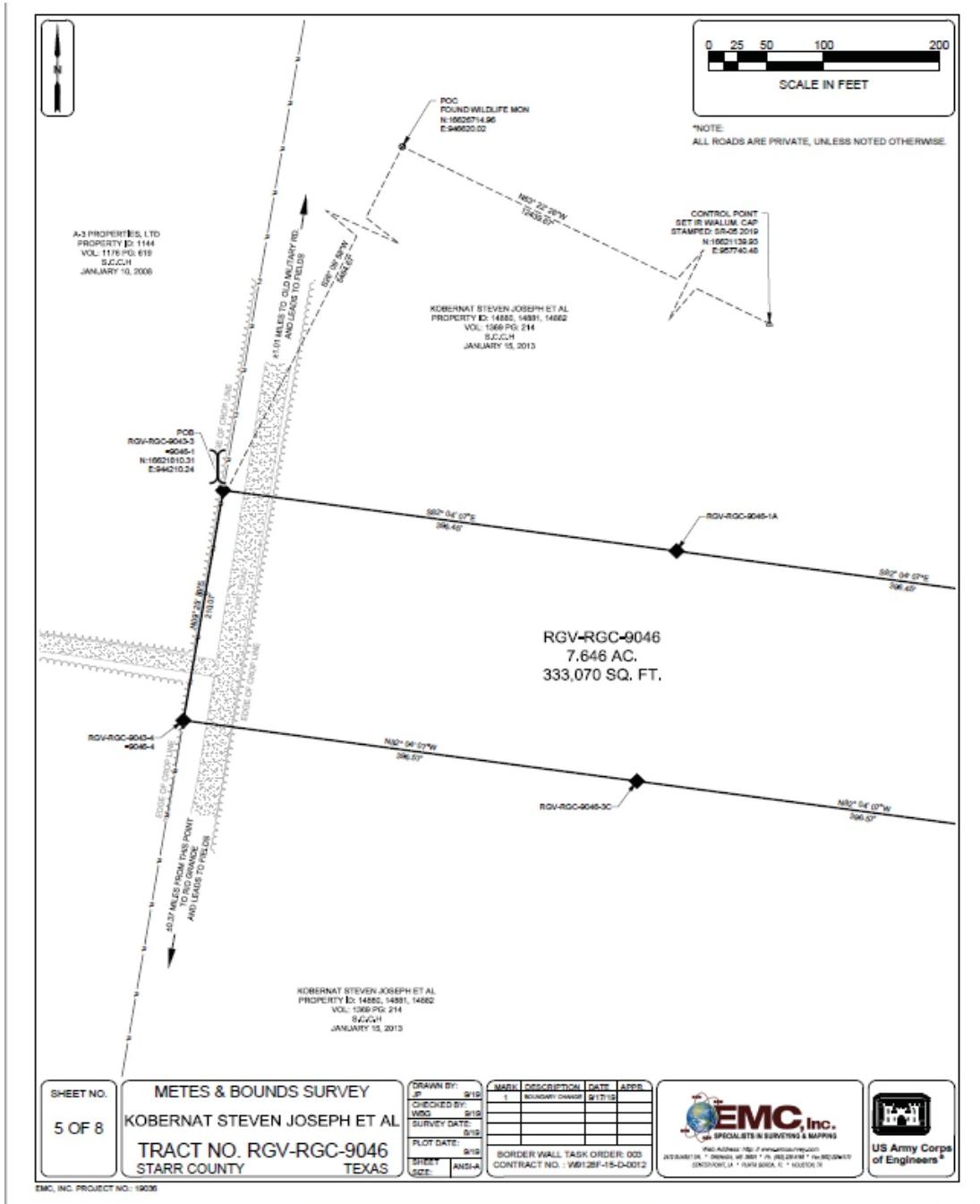
Owner: Steven J. Kobernat *et al.*

Acres: 7.646

SCHEDULE D (continued)

MAP or PLAT

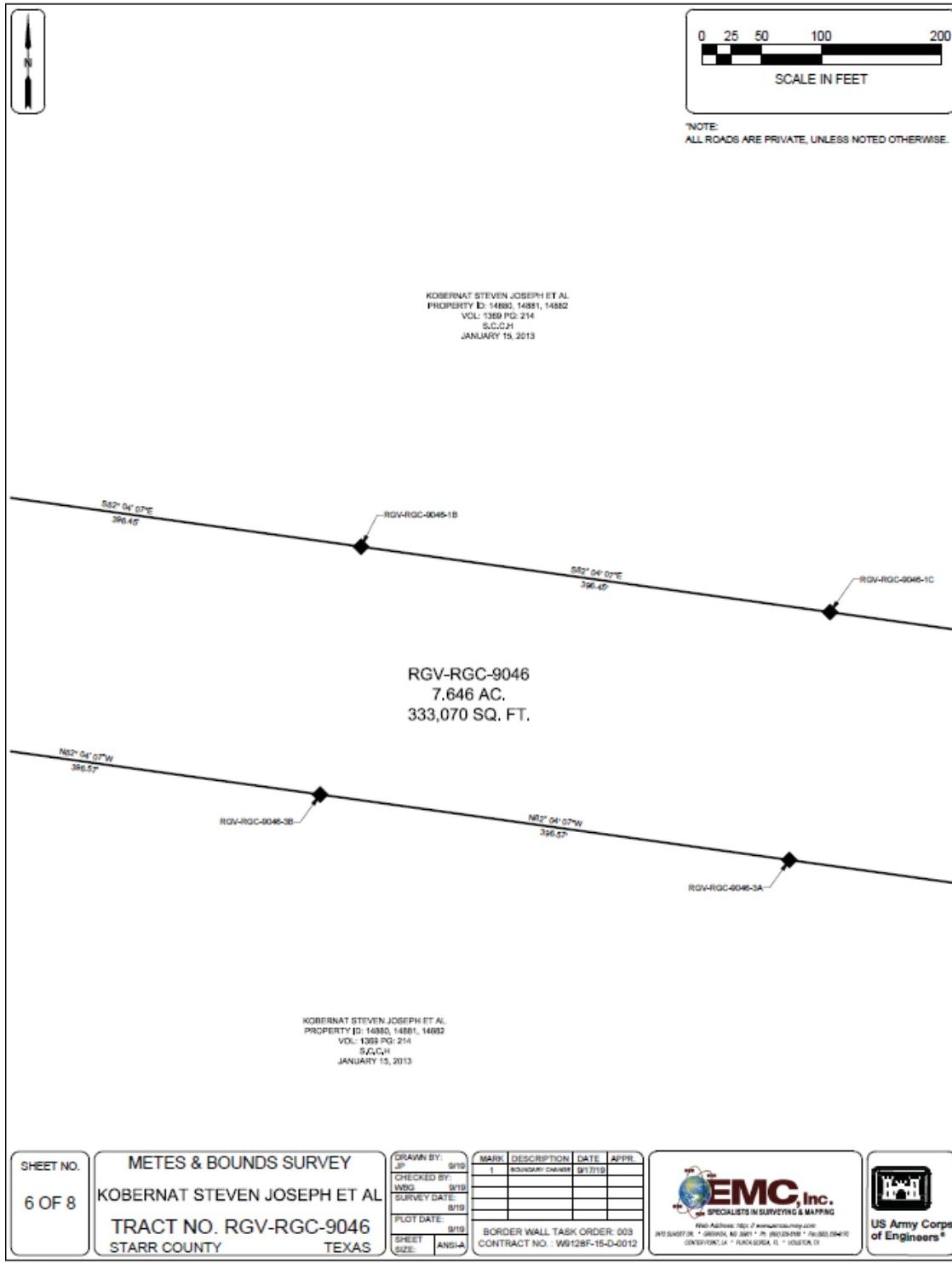
LAND TO BE CONDEMNED



SCHEDULE D (continued)

MAP or PLAT

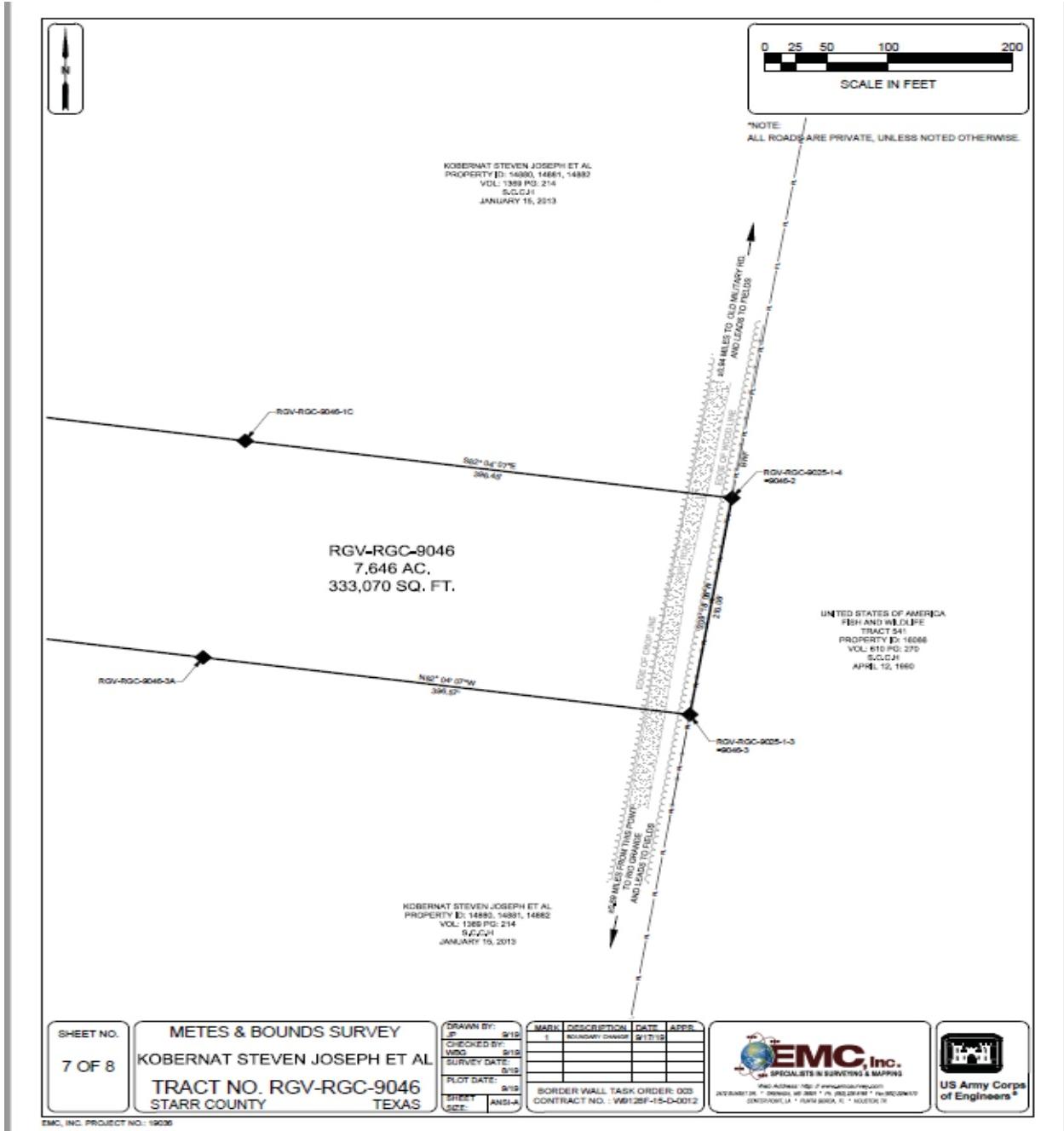
LAND TO BE CONDEMNED



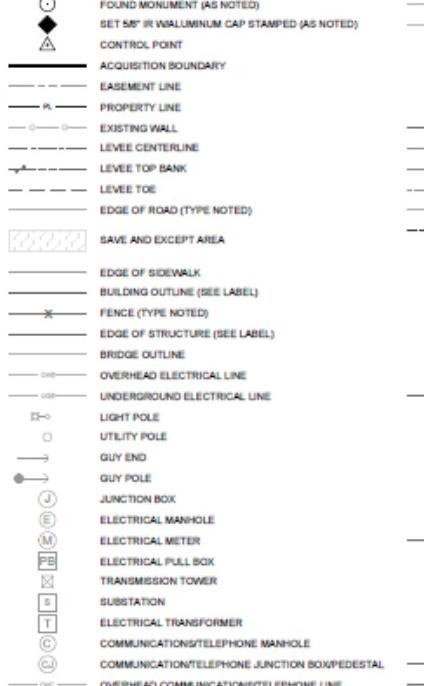
SCHEDULE D (continued)

MAP or PLAT

LAND TO BE CONDEMNED



SCHEDULE D (continued)**MAP or PLAT****LAND TO BE CONDEMNED**

LEGEND:																																																																																																																																					
	<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">L&G</td> <td style="width: 15%;">UNDERGROUND COMMUNICATIONS/TELEPHONE LINE</td> <td style="width: 15%;">.....</td> <td style="width: 15%;">EDGE OF RIPRAP</td> </tr> <tr> <td>PO</td> <td>UNDERGROUND FIBER OPTIC LINE</td> <td>.....</td> <td>EDGE OF VEGETATING (TYPE NOTED)</td> </tr> <tr> <td>CS</td> <td>CATCH BASIN</td> <td>[square]</td> <td>MISCELLANEOUS SYMBOL (SEE LABEL)</td> </tr> <tr> <td></td> <td>STORM GRATE</td> <td>S.C.C.H.</td> <td>(FOUND) STARR COUNTY COURTHOUSE</td> </tr> <tr> <td></td> <td>STORM SEWER VALVE</td> <td>S.C.C.M.</td> <td>(FOUND) HIDALGO COUNTY CAD MAP</td> </tr> <tr> <td>D</td> <td>STORM SEWER</td> <td>W</td> <td>WTH</td> </tr> <tr> <td></td> <td>CULVERT</td> <td>UNK.</td> <td>UNKNOWN</td> </tr> <tr> <td></td> <td>HEADWALL AND WINGWALL</td> <td>ALUM.</td> <td>ALUMINUM</td> </tr> <tr> <td></td> <td>TOP OF DITCH</td> <td>CONC.</td> <td>CONCRETE</td> </tr> <tr> <td></td> <td>BOTTOM OF DITCH</td> <td>CULV.</td> <td>CULVERT</td> </tr> <tr> <td></td> <td>EDGE OF WATER</td> <td>POC</td> <td>POINT OF COMMENCEMENT</td> </tr> <tr> <td></td> <td>WATER PUMP</td> <td>POS</td> <td>POINT OF BEGINNING</td> </tr> <tr> <td></td> <td>MONITORING WELL</td> <td>PQ.</td> <td>PAGE</td> </tr> <tr> <td></td> <td>WATER VALVE</td> <td>VOL.</td> <td>VOLUME</td> </tr> <tr> <td></td> <td>WATER METER</td> <td>FIP</td> <td>FOUND IRON PIPE</td> </tr> <tr> <td></td> <td>HYDRANT</td> <td>FIR</td> <td>FOUND IRON ROD</td> </tr> <tr> <td></td> <td>WATER EXTINGUISHER/FAUCET/SPICKET</td> <td>1STFR</td> <td>1 STORY FRAME HOUSE</td> </tr> <tr> <td></td> <td>WATER MANHOLE</td> <td>2STFR</td> <td>2 STORY FRAME HOUSE</td> </tr> <tr> <td>L</td> <td>WATER LINE</td> <td>1STBR</td> <td>1 STORY BRICK HOUSE</td> </tr> <tr> <td>P</td> <td>LIFT STATION</td> <td>2STBR</td> <td>2 STORY BRICK HOUSE</td> </tr> <tr> <td></td> <td>PUMP STATION</td> <td>1STCB</td> <td>1 STORY COMMERCIAL BUILDING</td> </tr> <tr> <td></td> <td>SEWER CLEAN CUT</td> <td>2STCB</td> <td>2 STORY COMMERCIAL BUILDING</td> </tr> <tr> <td>S</td> <td>SEWER MANHOLE</td> <td>1STSB</td> <td>1 STORY STORE BUILDING</td> </tr> <tr> <td></td> <td>SEWER WATER PUMP</td> <td>2STSB</td> <td>2 STORY STORE BUILDING</td> </tr> <tr> <td></td> <td>SANITARY SEWER VAULT</td> <td>SHDWF</td> <td>SHED WOOD FRAME</td> </tr> <tr> <td></td> <td>SANITARY SEWER LINE</td> <td>SHBRR</td> <td>SHED BRICK</td> </tr> <tr> <td></td> <td>GAS TANK</td> <td>CLF</td> <td>CHAIN LINK FENCE</td> </tr> <tr> <td></td> <td>GAS VALVE</td> <td>WF</td> <td>WOODEN FENCE</td> </tr> <tr> <td></td> <td>GAS METER</td> <td>SBF</td> <td>STONE OR BRICK FENCE</td> </tr> <tr> <td></td> <td>GAS LINE MARKER</td> <td>BWF</td> <td>BARBED WIRE FENCE</td> </tr> <tr> <td></td> <td>GAS VAULT</td> <td>GAT</td> <td>GATE</td> </tr> <tr> <td></td> <td>GAS LINE</td> <td>CEM</td> <td>CEMETERY OUTBOUND</td> </tr> <tr> <td></td> <td>DOCKS / DECKS/ PIERS</td> <td>HOSTN</td> <td>HEAD STONE</td> </tr> </table>	L&G	UNDERGROUND COMMUNICATIONS/TELEPHONE LINE	EDGE OF RIPRAP	PO	UNDERGROUND FIBER OPTIC LINE	EDGE OF VEGETATING (TYPE NOTED)	CS	CATCH BASIN	[square]	MISCELLANEOUS SYMBOL (SEE LABEL)		STORM GRATE	S.C.C.H.	(FOUND) STARR COUNTY COURTHOUSE		STORM SEWER VALVE	S.C.C.M.	(FOUND) HIDALGO COUNTY CAD MAP	D	STORM SEWER	W	WTH		CULVERT	UNK.	UNKNOWN		HEADWALL AND WINGWALL	ALUM.	ALUMINUM		TOP OF DITCH	CONC.	CONCRETE		BOTTOM OF DITCH	CULV.	CULVERT		EDGE OF WATER	POC	POINT OF COMMENCEMENT		WATER PUMP	POS	POINT OF BEGINNING		MONITORING WELL	PQ.	PAGE		WATER VALVE	VOL.	VOLUME		WATER METER	FIP	FOUND IRON PIPE		HYDRANT	FIR	FOUND IRON ROD		WATER EXTINGUISHER/FAUCET/SPICKET	1STFR	1 STORY FRAME HOUSE		WATER MANHOLE	2STFR	2 STORY FRAME HOUSE	L	WATER LINE	1STBR	1 STORY BRICK HOUSE	P	LIFT STATION	2STBR	2 STORY BRICK HOUSE		PUMP STATION	1STCB	1 STORY COMMERCIAL BUILDING		SEWER CLEAN CUT	2STCB	2 STORY COMMERCIAL BUILDING	S	SEWER MANHOLE	1STSB	1 STORY STORE BUILDING		SEWER WATER PUMP	2STSB	2 STORY STORE BUILDING		SANITARY SEWER VAULT	SHDWF	SHED WOOD FRAME		SANITARY SEWER LINE	SHBRR	SHED BRICK		GAS TANK	CLF	CHAIN LINK FENCE		GAS VALVE	WF	WOODEN FENCE		GAS METER	SBF	STONE OR BRICK FENCE		GAS LINE MARKER	BWF	BARBED WIRE FENCE		GAS VAULT	GAT	GATE		GAS LINE	CEM	CEMETERY OUTBOUND		DOCKS / DECKS/ PIERS	HOSTN	HEAD STONE
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GENERAL SURVEYOR'S NOTES: <p>1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(420S), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 0.999974017 (E.G., GRID X 0.999974017 = SURFACE).</p> <p>2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.</p> <p>3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.</p> <p>4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.</p> <p>5. EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 866-1145.</p> <p>6. TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON JULY 30, 2019 (TICKET NO. 1971165549).</p> <p>7. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON JULY 30, 2019 (TICKET NO. 592141616).</p>																																																																																																																																					
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RGV-RGC-9046-1B	16621700.90	944995.56																																																																																																																																			
RGV-RGC-9046-1C	16621646.19	945388.22																																																																																																																																			
RGV-RGC-9025-1-4=9046-2	16621591.49	945780.88																																																																																																																																			
RGV-RGC-9025-1-3=9046-3	16621384.19	945746.93																																																																																																																																			
RGV-RGC-9046-3A	16621438.91	945354.15																																																																																																																																			
RGV-RGC-9046-3B	16621493.63	944961.37																																																																																																																																			
RGV-RGC-9046-3C	16621548.35	944568.60																																																																																																																																			
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SHEET NO. 8 OF 8	METES & BOUNDS SURVEY KOBERNAT STEVEN JOSEPH ET AL TRACT NO. RGV-RGC-9046 STARR COUNTY TEXAS	DRAWN BY: J.P. CHECKED BY: W.B. SURVEY DATE: 9/19 PLOT DATE: 9/19 SHEET SIZE: ANSI A	MARK 1 DESCRIPTION BOUNDS/OWNER DATE APPR. 9/17/19 BORDER WALL TASK ORDER: 003 CONTRACT NO.: W912BF-15-D-0012	 <small>EMC, Inc. SPECIALISTS IN SURVEYING & MAPPING P.O. Box 1000, P.O. Box 2 • Groton, NJ 08231 • Ph: (609) 264-1800 • Fax: (609) 264-0110 INT'L SUBSIDIARY • GROTON, NJ • MARY • PH: (609) 264-1800 • FAX: (609) 264-0110 CONTRACTOR • FLORIDA, FL • MIAMI, FL</small>
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SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Starr County, Texas

Tract: RGV-RGC-9046

Owner: Steven J. Kobernat *et al.*

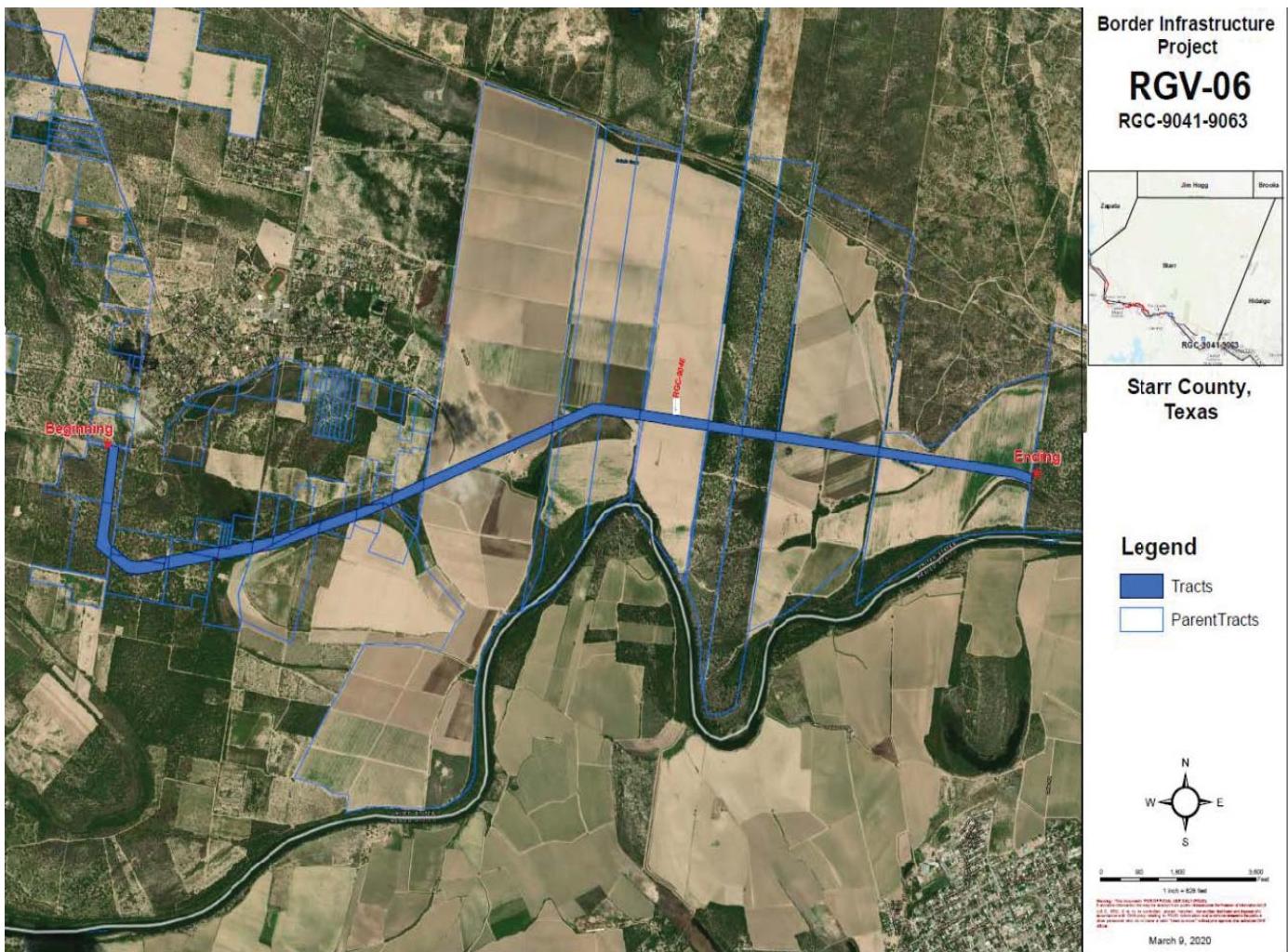
Acres: 7.646

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the land identified in conveyance recorded on January 15, 2013 with the Starr County Recorder, volume 1369, page 214, document number 309094, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

SCHEDULE E (continued)



SCHEDULE

F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is SIXTY-NINE THOUSAND THREE HUNDRED AND SEVEN DOLLARS AND NO/100 (\$69,307.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See Fed. R. Civ. P. 71.1(c).*

Interested Party	Reference
Steven J. Kobernat [REDACTED] San Antonio, Texas [REDACTED]	Gift Deed without Warranty, Document # 2013-309094; Recorded January 15, 2013 Deed Records of Starr County
Gregory G. Kobernat [REDACTED] San Antonio, Texas [REDACTED]	Gift Deed without Warranty, Document # 2013-309094; Recorded January 15, 2013 Deed Records of Starr County
Corydon J. Kobernat [REDACTED] San Antonio, Texas [REDACTED]	Gift Deed without Warranty, Document # 2013-309094; Recorded January 15, 2013 Deed Records of Starr County
Ann-Marie Littlefield [REDACTED] San Antonio, Texas [REDACTED]	Gift Deed without Warranty, Document # 2013-309094; Recorded January 15, 2013 Deed Records of Starr County
Wesley Vanderpool or successor Lessee [REDACTED] Sullivan City, Texas [REDACTED]	Tenant Farmer Lease Agreement between Steven J. Kobernat, <i>et al.</i> , and Wesley Vanderpool, September 24, 2018
Starr County Ameida Salinas Starr County, Texas, Tax Assessor-Collector 100 N FM 3167, Room 201 Rio Grande City, Texas 78582	Tax Authority

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (*Firm Name, Address, and Telephone Number*) _____

DEFENDANTS

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
 THE TRACT OF LAND INVOLVED.

Attorneys (*If Known*) _____

II. BASIS OF JURISDICTION (*Place an "X" in One Box Only*)

- | | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question
<i>(U.S. Government Not a Party)</i> |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
<i>(Indicate Citizenship of Parties in Item III)</i> |

III. CITIZENSHIP OF PRINCIPAL PARTIES (*Place an "X" in One Box for Plaintiff and One Box for Defendant*)
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (*Place an "X" in One Box Only*)

[Click here for: Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability		<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	PERSONAL PROPERTY		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 899 Administrative Procedure
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 865 RSI (405(g))	Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		
			FEDERAL TAX SUITS	
			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
			IMMIGRATION	
			<input type="checkbox"/> 462 Naturalization Application	
			<input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (*Place an "X" in One Box Only*)

- | | | | | | | |
|--|---|--|---|---|--|---|
| <input type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (<i>specify</i>) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|--|---|--|---|---|--|---|

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*): _____

VI. CAUSE OF ACTION

Brief description of cause: _____

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

**VIII. RELATED CASE(S)
IF ANY**

(See instructions): _____

JUDGE _____

DOCKET NUMBER _____

DATE _____

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____